

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CADLEROCK JOINT VENTURE, L.P.,

Plaintiff,

-against-

ORDER ADOPTING REPORT &
RECOMMENDATION
07-CV-774(JS)(ETB)

FRANKLIN VALLE, BRENTWOOD REALTY
HOLDING CORP. and "JOHN DOE" #1
through "JOHN DOE" 10, the last ten
names being fictitious and unknown
to plaintiff, the persons or parties
intended being the tenants, occupants,
persons, or corporations, if any,
having or claiming an interest in or
lien upon the premises described in the
complaint,

Defendants.

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APPEARANCES:

For Plaintiff: Jack Hassid, Esq.
Law Offices of Jack Hassid, Esq.
460 Park Avenue, 10th Floor
New York, New York 10022

For Defendants: No appearance

SEYBERT, District Judge:

Upon review of the Report and Recommendation ("Report")
of Magistrate Judge E. Thomas Boyle, issued January 4, 2008, to
which no party has objected, the Court hereby ADOPTS the Report in
its entirety.

Pursuant to Rule 72 of the Federal Rule of Civil
Procedure any objections to the Report were to be filed with the
Clerk of the Court within ten days of service of the Report. The
time for filing objections has expired and no Party has objected.

Accordingly, all objections are hereby deemed to have been waived.

The Court ADOPTS the Report in its entirety and ORDERS (1) the entry of a default against Defendants Valle and Brentwood Realty, pursuant to which the mortgage at issue in this action be foreclosed and the premises sold, (2) the action be dismissed as to the fictitious Defendants "John Doe" #1 through "John Doe" #10, (3) that the proceeds of the sale of the premises be used to compensate Plaintiff for \$295,157.42 in principal that is owed under the note and mortgage, and \$67,374.74 in interest that is owed under the note and mortgage, (4) that Defendant Valle be held personally liable for any monetary deficiency that remains after the sale of the premises, and (5) that Plaintiff be granted \$10,402 in attorneys' fees and \$2,032.06 in disbursements.

SO ORDERED

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
March 7, 2008